

To the members of the California State Senate:

I am returning Senate Bill 848 without my signature.

While this bill is meant to improve the economic clout of port owner-operator drivers, its provisions could violate federal antitrust law and result in many unintended consequences. This legally doubtful attempt at an antitrust exemption, or untried expansion of state regulation, is sure to become a legal battleground.

California's ports face heavy congestion and air quality problems. Motor carriers, drivers, port operators and shippers have worked cooperatively to address these issues in recent months. I recently signed Senate Bill 45, which was cooperatively negotiated between both the trucking companies and drivers, protects drivers from being assessed fees for circumstances that are out of their control, including locked gates, employee lockouts, and traffic congestion.

The litigious firestorm this bill would assuredly ignite is counter-productive to the cooperative work that must be accomplished to capture the economic potential afforded by the growth in international trade.

Sincerely,

Arnold Schwarzenegger